

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADJUSTACAM LLC
Plaintiff

v.

AMAZON.COM, INC. et al.,
Defendants

Case No. 6:10-cv-329-LED

JURY TRIAL DEMANDED

**DEFENDANT HEWLETT-PACKARD COMPANY'S NOTICE OF JOINDER IN
DEFENDANT DELL INC.'S REPLY IN SUPPORT OF ITS MOTION TO DISMISS
PLAINTIFF'S ALLEGATIONS OF INDIRECT INFRINGEMENT AND WILLFUL
INFRINGEMENT FOR FAILURE TO STATE A CLAIM**

Defendant Hewlett-Packard Company ("HP") hereby joins Defendant Dell Inc.'s Reply in Support of its Motion to Dismiss Plaintiff's Allegations of Indirect Infringement and Willful Infringement for Failure to State a Claim (Docket No. 273) and the arguments and authorities found therein. HP has previously joined Dell Inc.'s Corrected Motion to Dismiss Plaintiff's Allegations of Indirect Infringement and Willful Infringement for Failure to State a Claim (Docket No. 197 (HP's Notice of Joinder); Docket No. 164 (Dell's Motion to Dismiss)).

AdjustaCam LLC's ("AdjustaCam") allegations of indirect infringement against HP are substantively the same as those it has asserted against Dell, Inc. ("Dell"), and are deficient for the same reasons set forth in Dell's Reply. *Compare* First Amended Complaint for Patent Infringement (Docket No. 111), ¶ 112 (HP) *with* ¶ 92 (Dell); *see also id.* at ¶ 224 (HP & Dell). Because AdjustaCam has not adequately pled the required facts to support an allegation that HP indirectly or willfully infringed the patent-in-suit, its indirect infringement and willful infringement claims against HP should be dismissed.

DATED: October 6, 2010

By: /s/ Steven R. Daniels
W. Bryan Farney
Lead Attorney
Texas State Bar No. 06826600
Steven R. Daniels
Texas State Bar No. 24025318
Bryan D. Atkinson
Texas State Bar No. 24036157
DECHERT LLP
300 W. 6th Street, Suite 2010
Austin, Texas 78701
Telephone: (512) 394-3000
Facsimile: (512) 394-3001
E-mails: bryan.farney@dechert.com
steven.daniels@dechert.com
bryan.atkinson@dechert.com
**ATTORNEYS FOR DEFENDANT
HEWLETT-PACKARD COMPANY**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel of record who have consented to electronic service as this district requires. Local Rule CV-5(a)(3)(A).

/s/ Steven R. Daniels